

**MANNER OF SELECTING DELEGATES TO
NATIONAL POLITICAL CONVENTIONS
WITH INFORMATION ON
STATES HOLDING PRESIDENTIAL
PRIMARIES**

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COMPILED BY
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FOREWORD

This pamphlet deals with the State laws and party regulations regarding the selection of delegates to the national conventions and presents information on States which hold Presidential primaries. Information contained has been gathered from State election law compilations, national convention proceedings, and secretaries of state from the several States. The compilation depicts the manner of selecting delegates to the national conventions, the date the selections are to be made, and the number of delegates to be selected, and lists the States holding Presidential primaries, dates of such elections, and filing dates for candidates.

EDWIN A. HALSEY,
Secretary, U. S. Senate.

MANNER OF SELECTING DELEGATES AND DATES FOR ELECTIONS OR CONVENTIONS

[See pp. 11 to 27 for more detail information]

State	Manner of selection		Date
Alabama ¹	Convention; executive committee.	Primary system may be used.	Set by executive committee, ² or if by primary on second Tuesday in May.
Arizona.....	Executive committee.		Set by executive committee. ²
Arkansas.....	State committee.		Set by State committee. ²
California.....		Primary	First Tuesday in May.
Colorado.....	Convention.		Set by State committee. ²
Connecticut.....	do.		Set by State central committee. ²
Delaware.....	do.		Do. ²
Florida.....		Primary	First Tuesday after first Monday in May.
Georgia ²		do.	State executive committee. ²
Idaho.....	Convention.		Set by State central committee. ²
Illinois.....	Convention for delegates at large.	Primary for district delegates.	Primary, second Tuesday in April; convention, first Friday after second Monday next succeeding primary.
Indiana.....	Convention.		Set by State central committee. ²
Iowa.....	do.		Set by party organization. ²
Kansas.....	do.		Set by State committee. ²
Kentucky.....	do.		Set by chairman of State committee. ²
Louisiana.....	State central committee.		Set by State central committee. ²
Maine.....	Convention.		Set by State party chairman. ²
Maryland.....	do.		Set by State committee. ²
Massachusetts.....		Primary	Last Tuesday in April.
Michigan.....	Convention.		Set by State central committee. ²
Minnesota.....	do.		Set by State committee. ²
Mississippi.....	do.		Do. ²
Missouri.....	do.		Do. ²
Montana.....	do.		Third Tuesday in May.
Nebraska.....		Primary	Second Tuesday in April.
Nevada.....	Convention.		Set by State central committee. ²
New Hampshire.....		Primary	Second Tuesday in March.
New Jersey.....		do.	Third Tuesday in May.
New Mexico.....	Convention.		Set by State central committee. ²
New York.....	Convention for delegates at large.	Primary for district delegates.	Primary, first Tuesday in April; convention, set by State committee.
North Carolina.....	Convention.		Set by State executive committee. ²
North Dakota.....	do.		Do. ²
Ohio.....		Primary	Second Tuesday in May.
Oklahoma.....	Convention.		Set by State committee. ²
Oregon.....		Primary	Third Friday in May.
Pennsylvania.....		do.	Fourth Tuesday in April.
Rhode Island.....	Convention.		Set by State committee. ²
South Carolina.....	do.		Third Wednesday in May.
South Dakota.....		Primary	First Tuesday in May.
Tennessee.....	Convention.		Set by chairman of State committee. ²
Texas.....	do.		Fourth Tuesday in May.
Utah.....	do.		Set by State central committee. ²
Vermont.....	do.		Third week in May.
Virginia.....	do.		Set by State committee. ²
Washington.....	do.		Set by party organization. ²
West Virginia.....		Primary	Second Tuesday in May.
Wisconsin.....	Alternates chosen by State central committee.	Delegates chosen at primary.	Primary, first Tuesday in April; State central committee, called by chairman, State central committee.

¹ Democratic Party has choice of selection by executive committee or primary; the Republican Party uses the convention method.

² Preferential Presidential primary; winner permitted to name delegates to national convention of his party.

³ See p. 3 for table giving date of State conventions in 1936.

Manner of selecting delegates and dates for elections or conventions—Continued

State	Manner of selection		Date
Wyoming.....	Convention.....	.....	Second Monday in May.
Alaska.....	do.....	.....	Set by Territorial committee.
District of Columbia.....	.....	Primary.....	Set by State committee.
Hawaii.....	Convention.....	.....	Set by central committee.
Canal Zone.....	do.....	.....	Set by Territorial committee.
Philippine Islands.....	do.....	.....	Do.
Puerto Rico.....	do.....	.....	Do.
Virgin Islands.....	do.....	.....	Do.

CAPITULATION OF ABOVE TABLE

States using the convention system.....	33
States and District of Columbia using the primary system.....	13
States using a combination of the two.....	3
Territories using the convention system.....	6

DATES OF STATE CONVENTIONS IN 1936 OF STATES NOT HOLDING PRIMARY ELECTIONS

State	Party	Date
Alabama	Democratic	Primary, first Tuesday in May.
	Republican	May 21, 1936.
Arizona	Democratic	May 2, 1936.
	Republican	Apr. 18, 1936.
Arkansas	Democratic	Apr. 4, 1936.
	Republican	May 3, 1936.
Colorado	Democratic	May 23, 1936.
	Republican	Apr. 25, 1936.
Connecticut	Democratic	May 15, 16, 1936.
	Republican	May 5 and 6, 1936.
Delaware	Democratic	May 1936.
	Republican	April 1936.
Georgia	Democratic	Primary ordered for June 3, 1936.
	Republican	May 9, 1936.
Idaho	Democratic	May 6, 1936.
	Republican	May 1936.
Indiana	Democratic	June 1936.
	Republican	June 3, 1936.
Iowa	Democratic	Apr. 3, 1936.
	Republican	Feb. 28, 1936.
Kansas	Democratic	Apr. 28, 1936.
	Republican	Mar. 4, 1936.
Kentucky	Democratic	June 9, 1936.
	Republican	Mar. 30, 31, 1936.
Louisiana	Democratic	Delegates named by executive committee.
	Republican	Mar. 14, 1936.
Maine	Democratic	Mar. 31, 1936.
	Republican	Apr. 2, 1936.
Maryland	Democratic	May 9, 1936.
	Republican	Do.
Michigan	Democratic	May 21, 1936.
	Republican	Apr. 24, 1936.
Minnesota	Democratic	Feb. 1, 1936.
	Republican	Apr. 18, 1936.
Mississippi	Democratic	June 15, 1936.
	Republican	Apr. 25, 1936.
Missouri	Democratic	April 1936.
	Republican	Apr. 27, 1936.
Nevada	Democratic	May 23, 1936.
	Republican	May 16, 1936.
New Mexico	Democratic	May 18, 1936.
	Republican	Mar. 2, 1936.
North Carolina	Democratic	June 12, 1936.
	Republican	Mar. 24, 1936.
North Dakota	Democratic	May 13, 1936.
	Republican	Mar. 19, 1936.
Oklahoma	Democratic	Mar. 30, 1936.
	Republican	Mar. 16, 1936.
Rhode Island	Democratic	May 9, 1936.
	Republican	Apr. 27, 1936.
Tennessee	Democratic	May 1936.
	Republican	May 5, 1936.
Utah	Democratic	May 23, 1936.
	Republican	May 2, 1936.
Virginia	Democratic	June 16, 1936.
	Republican	Mar. 28, 1936.
Washington	Democratic	May 23, 1936.
	Republican	May 9, 1936.

VOTING STRENGTH OF STATES AT NATIONAL CONVENTIONS HELD IN 1936

State	Democratic convention	Republican convention	State	Democratic convention	Republican convention
Alabama.....	22	13	New Mexico.....	6	6
Arizona.....	6	6	New York.....	94	90
Arkansas.....	18	11	North Carolina.....	26	23
California.....	44	44	North Dakota.....	8	8
Colorado.....	12	12	Ohio.....	52	52
Connecticut.....	16	19	Oklahoma.....	22	21
Delaware.....	6	9	Oregon.....	10	10
Florida.....	14	12	Pennsylvania.....	72	75
Georgia.....	24	14	Rhode Island.....	8	8
Idaho.....	8	8	South Carolina.....	16	10
Illinois.....	58	57	South Dakota.....	8	8
Indiana.....	28	28	Tennessee.....	22	17
Iowa.....	22	22	Texas.....	46	25
Kansas.....	18	18	Utah.....	8	8
Kentucky.....	22	22	Vermont.....	6	9
Louisiana.....	20	12	Virginia.....	22	17
Maine.....	10	13	Washington.....	16	16
Maryland.....	16	16	West Virginia.....	16	16
Massachusetts.....	34	33	Wisconsin.....	24	24
Michigan.....	38	38	Wyoming.....	6	6
Minnesota.....	22	22	Alaska.....	6	3
Mississippi.....	18	11	District of Columbia.....	6	3
Missouri.....	30	30	Hawaii.....	6	3
Montana.....	8	8	Philippine Islands.....	6	2
Nebraska.....	14	14	Puerto Rico.....	6	2
Nevada.....	6	6	Canal Zone.....	6	-----
New Hampshire.....	8	11	Virgin Islands.....	2	-----
New Jersey.....	32	32	Total.....	1, 100	1, 003

MAJORITY VOTE SUFFICIENT TO NOMINATE CANDIDATES

Democratic rule: That all questions, including the question of nominations of candidates for President of the United States and Vice President of the United States, shall be determined by a majority vote of the delegates to the convention. (Rule adopted at the 1936 Democratic National Convention.)

Republican rule: When it appears, at the close of the roll call, that any candidate for the nomination for President or Vice President has received the majority of the votes entitled to be cast in the convention, the chairman of the convention shall announce, the question to be: "Shall the nomination of the candidate be made unanimous?" (Rule adopted at the 1936 Republican National Convention.)

STATES IN WHICH VOTERS MAY HAVE AN OPPORTUNITY TO EXPRESS PREFERENCE ON PARTY'S PRESIDENTIAL NOMINEE

[See pp. 28 to 34 for more detail information]

State	Type of election	Date of primary election	Filing date
Arkansas ¹	Preferential Presidential, if set by State committee.	At least 2 months before party's national convention.	At least 6 months before party's national convention.
California.....	Preference indicated through choice of national delegates.	First Tuesday in May....	65 days before primary.
Georgia ²	Presidential Preferential, if set by State committee.	Set by State committee....	Set by State Committee.
Illinois.....	Preferential Presidential....	Second Tuesday in April...	60 days before primary.
Maryland.....	do.....	First Monday in May....	15 days before primary.
Massachusetts.....	Preference indicated through choice of national delegates.	Last Tuesday in April....	By seventh Tuesday preceding primary.
Nebraska.....	Preferential Presidential....	Second Tuesday in April...	40 days before primary.
New Hampshire.....	Preference indicated through choice of national delegates.	Second Tuesday in March....	60 to 30 days before primary.
New Jersey.....	Preferential Presidential....	Third Tuesday in May....	On or before Apr. 1.
Ohio.....	do.....	Second Tuesday in May....	60 days before primary.
Oregon.....	do.....	Third Friday in May....	45 days before primary.
Pennsylvania.....	do.....	Fourth Tuesday in April....	50 days before primary.
South Dakota.....	Preference indicated through choice of national delegates.	First Tuesday in May....	30 to 60 days before primary.
West Virginia.....	Preferential Presidential....	Second Tuesday in May....	30 days before primary.
Wisconsin.....	do.....	First Tuesday in April....	32 days before primary.

¹ Presidential candidates must make request for Presidential primary to State committees or no primary will be called in Arkansas.

² The State committee has a choice in Georgia as to whether it will or will not call a Presidential primary.

BASIS FOR REPRESENTATION AT THE DEMOCRATIC AND REPUBLICAN NATIONAL CONVENTIONS

DEMOCRATIC NATIONAL CONVENTION

The basis of representation at such national convention shall be two delegates with one vote for each Senator and Representative in Congress from the respective States; and the District of Columbia, Hawaii, Puerto Rico, Alaska, and Canal Zone shall be entitled to six delegates each, and the Virgin Islands shall be entitled to two delegates.

One alternate is to be elected for each delegate.

No State or Territory shall elect any number of delegates with their alternates in excess of the quota to which such State or Territory may be entitled under the basis of representation herein indicated; provided, however, that in order that opportunity may be afforded the various States to give adequate representation to women as delegates at large without disturbing prevailing party custom, there may be elected four delegates at large for each Senator in Congress with one-half vote each in the national convention; and further it is recommended to the States that one-half of the delegates at large shall be women. (Excerpt from call for the Democratic National Convention of 1936, by James A. Farley, chairman, Democratic National Committee.)

* * * * *

Be it Resolved, That the Democratic National Committee is hereby instructed to formulate and to recommend to the next national convention a plan for improving the system by which delegates and alternates to Democratic National Conventions are apportioned; and be it further

Resolved, That in formulating this plan, the national committee shall take into account the Democratic strength within each State, District of Columbia, and Territory, etc., in making said apportionment. (Excerpt from the Report of the Committee on Rules and Order of Business, adopted at the 1936 Democratic National Convention.)

REPUBLICAN NATIONAL CONVENTION

Hereafter the convention shall be constituted as follows:

Delegates at large: (1) Four delegates at large from each State; (2) two additional delegates at large for each Representative at large in Congress from each State; (3) three delegates at large each for Alaska, District of Columbia, and Hawaii; two delegates at large each for Puerto Rico and the Philippine Islands; and (4) three additional delegates at large from each State casting its electoral vote, or a majority thereof, for the Republican nominee for President in the last preceding Presidential election.

District delegates: (1) One district delegate from each congressional district; and (2) one additional district delegate from each congressional district casting 10,000 votes or more for any Republican elector in the last preceding Presidential election or for the Republican nominee for Congress in the last preceding congressional election.

Alternate delegates: One alternate delegate to each delegate to the national convention. (Excerpt from the Report of Committee on Rules and Order of Business, adopted at the 1936 Republican National Convention.)

STATE LAWS AND PARTY REGULATIONS ON SELECTION OF DELEGATES

ALABAMA

Democratic: In the last Presidential election year, 1936, the Alabama State Democratic Executive Committee elected Alabama's delegates to the national committee within its committee. The delegates may also be elected at the Democratic primary held in May, as provided by section 35 of the Primary Act found on page 88 of the 1931 General Acts, which reads as follows:

The State executive committee or other governing body of any political party may provide for State conventions or conventions of other subdivisions and may provide for the election of delegates to such convention or other party officers at the general primary herein provided for.

Election of delegates by primary has occurred in the past (John Brandon, secretary of State, state of Alabama).

Republican: The delegates and alternate delegates to the National Convention of the Republican Party are selected in congressional district conventions which accounts for 9, 1 from each district. In addition, 4 State-at-large delegates and alternates are selected by the State convention, bringing the total to 13. (B. L. Noojin, Republican national committeeman, State of Alabama.)

Date: If by primary on second Tuesday in May.

ARIZONA

Democratic: The election laws of Arizona do not regulate the manner in which delegates are selected from Arizona to the national political conventions. It has been customary in the past for the executive committee of the State party to select the delegates. The rules and regulations pertaining to their selection are the national party committee's regulations. (Joe Conway, attorney general, State of Arizona.)

Republican: The Republican Party holds the State convention about 3 weeks before that of the national convention, when delegates and alternates are nominated and elected from the floor of the convention; also the selection and recommendation of our national committeeman is held at the same time. (J. C. Kinney, State chairman, Arizona Republican Committee.)

Date: Set by executive committees.

ARKANSAS

Section 4. Not later than 2 weeks before the quadrennial national party convention to be held for the purpose of selecting nominees for President of the United States, the State committees of political parties in this State shall select delegates to said national convention. Said delegates shall not be considered public officials nor candidates

for public office and shall not, therefore, be entitled to any remuneration or compensation from any public fund, but shall be considered representatives of the affected political party. There shall be one delegate and one alternate delegate for each vote to which the State is entitled in said convention. Congressional districts shall be equally represented.

If a preferential Presidential primary election has been held, said delegates shall cast their votes as a unit for the candidate shown to be preferred at the said election conducted as herein prescribed, unless said candidate shall die, withdraw, or, according to the best judgment of two-thirds of the delegates after arrival at the convention, be so lacking in other support that his nomination is impossible and that to cast the vote of the delegation for him would be futile and contrary to the best interest of the State.

If no preference has been determined by a preferential Presidential primary election as herein provided, then said delegation may vote as individuals or under the unit rule as may be directed by the appropriate State political committee. (Excerpt from Act No. 103, State of Arkansas, approved February 18, 1939.)

Date: Set by State committees.

CALIFORNIA

On the first Tuesday in May of each year of the general November election at which electors of President and Vice President of the United States are to be chosen, there shall be held a primary nominating election, to be known as the May Presidential primary election, at which the registered qualified electors shall have opportunity, on separate party ballots provided for that purpose, to elect the delegates of their respective political parties to their respective national conventions for the nomination of their party candidates for President and Vice President of the United States, thereby, indicating the preference of said electors for their Presidential nominee.

The delegates who shall represent each political party at its national convention shall all be elected by the voters of the State at large. The secretary of State shall, on or before the 10th day of March of the year of the May Presidential primary election, certify to the county clerk or registrar of voters of each county, or city and county, the number of delegates to be so elected by each of the political parties qualified to participate in the said election. Any political party shall be qualified to participate in the May Presidential primary election which is qualified to participate in the August primary election according to the provisions of the "direct primary law." (California Election Laws, 1938; pp. 310-311.)

Date: First Tuesday in May.

COLORADO

The practice generally is for precinct caucus to elect delegates to the county conventions, and for the county conventions to elect delegates to the State convention, and for the State convention to elect delegates to the national convention. As a matter of fact, the State convention allows delegates from different congressional districts to choose their pro rata share. (Worth Allen, chairman, Colorado Democratic State Committee, March 20, 1939.)

Date: Set by State committees.

CONNECTICUT

The delegates and alternates to the national conventions for the various political parties are selected by delegates at the State convention; the date of such State convention is set by the State central committees.

Date: Set by State central committees.

DELAWARE

The delegates and alternates from the State of Delaware to the national conventions are selected by delegates from the State sitting in a State convention; the State convention is called by the State central committee of each party.

Date: Set by State central committees.

FLORIDA

A first primary election shall be held on the first Tuesday after the first Monday in May of every year in which a general election is held for the election of all party officers, national committeemen, and committeewomen, and delegates to national convention, and for the nomination of candidates of all political parties; and a second primary election shall be held as hereinafter in this act provided. (Primary Election Laws of the State of Florida, by R. A. Gray, 1937, p. 8.)

Date: First Tuesday after first Monday in May.

GEORGIA

A preferential Presidential primary is held upon call of the State executive committee. The candidates nominated as the choice of the parties in the State of Georgia then have the privilege of naming the delegates to the national conventions. However, the calling of a preferential primary is discretionary with the State executive committee; if no such election is ordered by the committee, the selection of delegates is made by the executive committee.

Date: Set by the State executive committees.

IDAHO

In years for holding Presidential elections, political parties, as defined in this chapter, shall hold conventions at such place and time, not later than the first Tuesday in June, as may be designated by the State central committees of the respective parties, for the purpose of electing delegates to the national convention and for the purpose of electing a national committeeman and a national committeewoman of such political parties. At least one-third of the number of delegates elected to the national convention shall be elected from each congressional district of the State and the remainder shall be elected from the State at large. (Primary and General Election Laws of the State of Idaho, 1937-38, p. 14.)

Date: Set by State central committees.

ILLINOIS

Primary elections, second Tuesday in April. Every year in which a President of the United States is to be elected, for the purpose of electing delegates and alternate delegates to national nominating

conventions, and for the purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for the office of President of the United States. (Illinois Election Laws in force July 1, 1937, p. 9.)

(b) All State conventions shall be held on the first Friday after the second Monday next succeeding the April primary at which committeemen are elected. The State convention of each political party shall have power to make nominations of candidates of its political party for the electors of President and Vice President of the United States and for trustees of the University of Illinois, and to adopt any party platform, and to choose and select delegates and alternate delegates at large to national nominating conventions. (Illinois Election Laws, 1937, p. 136.)

Date: District delegates, second Tuesday in April; delegates at large, first Friday after second Monday next succeeding April primary.

INDIANA

The State convention shall nominate candidates of such party for all State offices to be voted for at the next general election, including Governor and United States Senator. Such conventions shall also nominate candidates for Presidential electors, alternate electors, and it shall elect the delegates and alternate delegates of such party to its national convention: *Provided*, That such party by appropriate rules may permit the delegates from the several congressional districts to select their own candidates from such district for elector and alternate elector, and their own delegate and alternate delegate. (Election Laws of Indiana, 1938, p. 65.)

Each of said central committees shall before the day of such March [May] primary fix a date for holding a State convention, which date shall be within one hundred and fifty days after the date of such March [May] primary and such convention shall be held in the city of Indianapolis. (Election Laws of Indiana, 1938, p. 64.)

Date: Set by State central committees.

IOWA

Each political party shall, not earlier than the first nor later than the fifth Wednesday following the county convention, hold a State convention at such time and place as may be determined by the party organization. (Election Laws of Iowa, 1938, p. 23.)

Delegates to the national conventions are selected at the State convention; rules of the parties permit delegates from different congressional districts to choose their pro rata share of the delegates.

Date: Set by party organizations.

KANSAS

The precinct caucuses meet and select delegates to the county conventions; the county conventions select two sets of delegates: one for the district conventions and one for the State convention. At the district conventions, delegates and alternates are selected to represent that district at the national convention; at the State convention, delegates at large and alternates at large are selected.

Date: Convention dates set by State committees.

KENTUCKY

The delegates and alternates are selected by the State convention system. Delegates to the State convention from each congressional district convene separately for the selection of two delegates and two alternates, which selection is then subject to ratification by the entire convention. The entire convention selects the delegates and alternates at large.

Date: Subject to the call of the chairman of the State committees.

LOUISIANA

Democratic Party: For the last three National Democratic Conventions, in 1928, in 1932, and in 1936, the Democratic State Central Committee of Louisiana selected the delegates and alternates from Louisiana. Prior to 1928 delegates to the National Democratic Conventions were selected at State conventions. (A. W. Newlin, secretary State committee, April 4, 1939.)

Republican Party: Under the rules of the Republican National Convention governing the selection of delegates Louisiana is entitled to one delegate and one alternate from each congressional district of the State, and four delegates and four alternates from the State at large. The district delegates are selected at district conventions composed of delegates from the wards and parishes comprising the jurisdiction of each one of the eight congressional districts in Louisiana. Delegates at large are selected at the State convention composed of delegates from the wards of the parish of Orleans, and the other parishes throughout the State; all delegates have been apportioned under the rule of the National Republican Convention having regard to the Republican vote therein.

Notwithstanding past practice of the Republican Party in this State in the selection of delegates to the national convention, it is now contended, from authoritative sources, that the Republican State central committee should elect the entire delegation, because of the provisions of section 28 of the Primary Election Law of Louisiana, as amended. (John E. Jackson, Republican national committeeman from Louisiana, April 8, 1939.)

Date: Set by State central committees.

MAINE

The city and town caucuses select delegates to the State conventions of each political party. The State conventions meet at the call of the State party chairman. Delegates to the national convention are selected at the State convention by the full convention of delegates.

Date: Set by State party chairmen.

MARYLAND

The State convention of each of said parties elected as aforesaid shall select the delegates to the national convention and nominate candidates for Presidential electors of each of said parties in such manner as said State convention may determine, provided that such delegates to the national convention shall be instructed and shall vote therein for candidates for the nomination for President as hereinabove provided. As soon as the delegates to the national convention and

the Presidential electors of any of such party shall have been chosen by said State convention, said convention shall then proceed to ballot for the selection for choice of such party of Maryland for President, the several delegations from the several counties and legislative districts voting for the preference, that is to say, according to the instructions of their said counties and legislative districts, respectively, in the manner above prescribed and provided for. The chairman of the State convention shall announce the final result of such balloting and in accordance with such results shall duly certify to the temporary and permanent executive officers of the national convention of the party, the choice and the instructions so ascertained and determined of the Maryland delegation of such party in the national convention with respect to the candidate of the party for President of the United States. (Registration and Election Laws of the State of Maryland, 1938, p. 163.)

Date: Set by State committees.

MASSACHUSETTS

Section 70B. In any year in which candidates for Presidential electors are to be elected, the election of delegates and of alternate delegates to national conventions of political parties shall be by direct plurality vote in primaries. The number of district delegates and the number of district alternate delegates, not less than one from each congressional district, and the number of delegates and alternate delegates at large, shall be fixed by the State committee, who shall give notice thereof to the State secretary on or before the third Wednesday in February. (General Laws relating to Primaries, Caucuses, and Elections for the Commonwealth of Massachusetts, 1938, p. 133.)

Section 28. State primaries shall be held on * * * and Presidential primaries on the last Tuesday in April in any year in which Presidential electors are to be elected. (General Laws relating to Primaries, Caucuses, and Elections for the Commonwealth of Massachusetts, 1938, p. 121.)

Date: Last Tuesday in April.

MICHIGAN

The State central committee of each political party shall prescribe the manner in which the delegates to the national convention of such political party shall be so selected: *Provided*, That if a State convention is held for such purpose and delegates thereto are selected by county conventions, then all such county conventions of any one political party shall be held on the same day which shall be specified by the State central committee in its call for the State convention. (Laws Relating to Elections in the State of Michigan, 1938, p. 75.)

Date: Set by State central committees.

MINNESOTA

The delegates to the national convention of the political parties in Minnesota are selected by the State conventions of said parties; the pro rata vote of the various counties at the convention being determined by their vote at the last election.

Date: Set by authorized party committees.

MISSISSIPPI

A State convention shall be held by each political party in the State in the year 1932 and every 4 years thereafter, to select a State executive committee and to appoint delegates to the national convention, and to nominate Presidential electors. (Digest of Election Laws of Mississippi, 1935, p. 24.)

Date: Set by State committees.

MISSOURI

Delegates to the national convention from Missouri are selected by State conventions called by the party organization. (Dwight H. Brown, secretary of state, State of Missouri.)

Date: Set by authorized party organizations.

MONTANA

Section 673.6. On the third Tuesday in May the delegates (or alternate delegates in case any elected delegates cannot attend) shall hold a State convention at the seat of government for the purpose of electing delegates and alternates to the national convention of the party, and Presidential electors. (Election Laws of Montana, 1938, p. 62.)

Date: Third Tuesday in May.

NEBRASKA

32-1118. In the years that a President and Vice President are to be elected there shall be elected, at the primary election, delegates and alternates to the national conventions and members of the national committees of the several parties, as follows: Four delegates shall be elected by the voters of the State at large; the remainder of the delegates shall be equally divided between the various congressional districts in the State, and the district delegates shall be elected by the voters of the various congressional districts in the State. (Nebraska Compiled Statutes, 1929, sec. 32-1118.)

32-1111. In the year 1924 and every 4 years thereafter the primary shall be held on the second Tuesday in April, at which time a preference vote for President and Vice President of the United States as provided for in this article shall be had. (Nebraska Compiled Statutes, 1929, sec. 32-1111.)

Date: Second Tuesday in April.

NEVADA

Section 24. At 11 a. m. on the fourth Tuesday in September of each year in which the general State election is to be held, the delegates elected to the State convention of each political party by the several county conventions of such party shall convene at the State capitol, or at such other place in the State as the State central committee of such party shall designate, and there organize, adopt State party platform, elect State central committee for such party for the ensuing term and the chairman thereof; and in years when Presidential electors are to be elected, such State convention of each political party shall be held at such time and place as may be designated by the State central committees of each party, and in such years they shall also select the

necessary delegates and alternates to the national conventions, and select the national committeeman and national committeewoman of the party from the State of Nevada. (The Election Laws of the State of Nevada, 1938, p. 31.)

Date: Set by State central committees.

NEW HAMPSHIRE

On the second Tuesday in March each year when a President of the United States is to be elected, a primary shall be held for the election of delegates at large, alternate delegates at large, delegates and alternate delegates to the national conventions of the various political parties to be held to nominate party candidates for President and Vice President of the United States. (New Hampshire Primary Election Laws, 1937, ch. 30, p. 50.)

Date: Second Tuesday in March.

NEW JERSEY

In each Presidential year delegates and alternates to the national conventions of the political parties shall be elected at the primary election to be held on the third Tuesday in May in that year. The members of State, county, and municipal committees of the political parties shall be chosen at the primary for the general election as hereinafter provided. (Elections, New Jersey, 1938, 19:3-3, p. 3.)

Not less than 100 members of each such political party may file with the secretary of state on or before April 1 in any year of a Presidential election a petition requesting that the name of a person therein endorsed shall be printed on the primary ticket of such political party as candidate for the position of delegate at large or alternate at large, to be chosen by the party voters throughout the State to the national convention of that party, or as a delegate or alternate to be chosen to that convention by the voters of any congressional district.

The signers to the petition for any delegate at large or alternate at large shall be legal voters resident in the State; and the signers for any delegate or alternate from any congressional district shall be voters of such district.

The secretary of state shall within 5 days thereafter certify to each county clerk and county board such nominations for delegates and alternates at large and the nominations for delegate or alternate for any congressional district. (Elections, New Jersey, 1938, 19:24-4, p. 93.)

Date: Third Tuesday in May.

NEW MEXICO

The delegates and alternates to the national convention are selected in the State conventions, the date for which is set by the State central committees.

Date: Set by State central committees.

NEW YORK

Section 21. Delegates and alternates to a national convention of a party shall be elected from congressional districts, or partly from the State at large and partly from congressional districts, as the rules

of the party may provide. Such delegates and alternates from the State at large shall be elected by the State committee or by a State convention of the party, as the rules of such party adopted at a State convention held for the nomination of State officers, may prescribe. District delegates and alternates to national party conventions and delegates, and alternates, if any, to such a State convention shall be elected at the spring primary. (Cahill's Consolidated Laws, 1930, ch. 16, sec. 21.)

The spring primary, according to the law as it exists at the present time [1939], will be held on the first Tuesday in April. (H. G. Adams, election and law bureau, Albany, N. Y., April 3, 1939.)

Date: Spring primary, first Tuesday in April; State committees set dates of conventions.

NORTH CAROLINA

Delegates from the county conventions to the State conventions from each congressional district in the State meet separately as in a district convention to select delegates and alternates to the national convention from their district, report their selections to the State convention. At the State convention the delegates at large are selected. The district conventions are held in the same city on the same day as the State convention; the district conventions meet and make their selections a few hours before the State convention convenes.

Date: Set by State executive committees.

NORTH DAKOTA

Said State party conventions shall be held in each Presidential year prior to the holding of the national party conventions. Such conventions shall be held at such place and at such time as shall be designated by the respective party State central committee.

Such party conventions shall nominate the legal number of candidates for their respective parties for the offices of Presidential electors and shall elect a national committeeman and a national committeewoman and the required number of delegates to the national party convention and a like number of alternates. (Supplement to the 1930 Election Laws for the State of North Dakota, p. 10.)

Date: Set by State central committees.

OHIO

Section 4785-75. At the primary election which shall be held on the second Tuesday in May in the year 1932, and similarly in every fourth year thereafter, delegates and alternates at large to the national conventions of the different political parties shall be chosen by direct vote of the electors in the manner prescribed in this chapter for the nomination of candidates for State offices, and candidates for election as delegates and alternates to such conventions from districts within the State shall be chosen by direct vote of the electors in the manner prescribed in this chapter for the nomination of candidates for district offices. Each person seeking to be elected as delegate or alternate to such national convention shall file with his declaration of candidacy and certificate, a statement in writing signed by him in which he shall

state his first and second choice for nomination as candidate of his party for the Presidency of the United States; and the secretary of state shall not permit any declaration of candidacy and certificate of a candidate for election as such delegate or alternate to be filed unless accompanied by such statement in writing; providing always, however, that the name of no candidate for the Presidency shall be so used without his written consent. The name of such first and second choice for nomination as candidate for the Presidency of each candidate for election as such delegate or alternate shall be printed and appear on the primary ballots immediately below the name of such candidate in such a way as to clearly disclose the preference of each candidate. (The Election Laws of the State of Ohio, 1932, sec. 4785-75, p. 61.)

Date: Second Tuesday in May.

OKLAHOMA

The precinct chairmen call caucuses and elect delegates to be sent to the county conventions. At the county conventions these delegates elect delegates to be sent to the State conventions, the delegates to the State conventions elect the delegates to be sent to the national conventions.

Dates for the conventions are set by the State committees. (Statement by C. C. Childers, secretary of state, State of Oklahoma, April 4, 1939.)

Date: Set by State committees.

OREGON

Section 36-1102. As soon as possible after the national committees of the several political parties issue their official calls for national nominating conventions, the secretary of state shall ascertain from the proper officials of such committees, the number of delegates allotted by such committees to the State of Oregon. Of the number of delegates allotted to Oregon by the national committee of each party subject to this act, two of such delegates shall be elected from each congressional district of the State, and the remainder shall be elected from the State at large. In the arrangement of the official ballots for the primary nominating election of each party, the secretary of state shall provide for the election of two delegates from each congressional district in the State of Oregon, and for the election of the remainder of the said allotted delegates at large from the State of Oregon to the national convention of such political parties.

Section 36-1103. Every qualified elector of a political party within the meaning of this act shall have the right to vote his or her preference on the nominating ballot of his or her party for two delegates from the congressional district in which he or she may reside, and also for as many delegates as are to be elected at large from the State of Oregon. A plurality vote shall be deemed sufficient to elect a delegate to any national convention; provided, the allotted number of candidates receiving the highest number of votes shall be chosen in each congressional district and in the State at large.

Section 36-1105. Candidates for the office of delegate to a national convention or for nomination for the office of Presidential elector may

have their names placed on the official ballots for the primary nominating election of their respective political parties in the manner that candidates for nomination for other State and district offices are placed thereon as provided by law; provided, that whenever a nominating petition is a prerequisite for the appearance of a candidate's name on the nominating ballot of his or her party, existing laws providing the manner in which the names of candidates for nomination for State and district offices may be printed on the nominating official ballots, shall govern, provided not more than 500 signatures shall be required on any such petition. (Election Laws of the State of Oregon, 1938, p. 81, 82.)

Date: Third Friday in May.

PENNSYLVANIA

Section 808. Delegates and alternate delegates to national conventions of the respective parties shall be elected at the spring primaries held in the years in which candidates for President of the United States are to be nominated.

Section 809. Candidates of the various political parties for the office of delegates and alternate delegates at large to a national party convention, who receive a plurality of the votes of their party electors in the State at large shall be the duly elected delegates and alternate delegates at large to the national convention of their respective parties. Candidates of the various political parties for the office of delegate and alternate delegate, other than delegate and alternate delegate at large, who receive a plurality of the votes of their party electors in the political district in which they are candidates, shall be duly elected delegates and alternate delegates to the national convention of their respective parties.

Section 603. There shall be a spring primary preceding each general election which shall be held on the third Tuesday of May in all even-numbered years, except in the year of the nomination of a President of the United States, in which year the spring primary shall be held on the fourth Tuesday of April. (A compilation of Registration Acts and Election Code of the State of Pennsylvania, 1937.)

Date: Fourth Tuesday in April.

RHODE ISLAND

There are no compiled rules and regulations covering the election of delegates to the national political conventions from Rhode Island. Each party at a convention of State delegates chooses delegates to the national convention of each respective party.

Rhode Island is entitled to four votes in each party and it may send four delegates. (M. James Vieira, assistant in charge of law revision, office of the secretary of state, State of Rhode Island.)

Date: Set by State committees.

SOUTH CAROLINA

Paragraph 2362. *State convention.*—The State convention shall be called by the State committee to meet at Columbia every general election year on the third Wednesday in May. The convention shall be composed of delegates elected by the county conventions, each

county to be entitled to as many delegates as double the number of its members in the general assembly. When the State convention assembles it shall be called to order by the chairman of the State committee. A temporary President shall be nominated and elected by the convention, and after its organization the convention shall proceed immediately to the election of permanent officers and to the transaction of business. When the business has concluded it shall adjourn sine die. (State of South Carolina, Statute Law affecting Primary Elections, 1932, p. 10.)

Delegates to the national conventions are selected at the State convention.

Date: Third Wednesday in May.

SOUTH DAKOTA

Section 3. At such primary election the members of the respective political parties shall also elect the State and precinct committeemen and precinct committeewomen of said political parties, three delegates from each county for each political party to the State convention of said party, and in the years when a President of the United States is to be elected, delegates and alternates to the national convention of each said political party.

Section 6. Names of candidates for delegates and alternates to the national convention, in number equal to the entire number of such delegates and alternates to be elected, shall be grouped under their respective designations upon a single nominating petition, which shall contain a statement indicating their collective preference choice for President of the United States, if any, or that they have no preference. Such petition shall include an endorsement of such list of candidates signed by the candidate for President for whom they have expressed a preference, or by someone acting under his authority for him. No name of any candidate for delegate or alternate shall be filed in more than one group, and the group first filed shall occupy the left-hand column, followed by other groups in the order of filing. No squares shall appear at left of individual names, but a circle shall be placed at the head of each list and a cross placed therein shall vote for the entire number of delegates and alternates named in said group.

Section 20. The primary election herein provided for shall be held at the regular polling place in every voting precinct throughout the State on the first Tuesday in May of every even-numbered year. (Primary and General Election Laws for the State of South Dakota, 1938, pp. 7, 9, 15.)

Date: First Tuesday in May.

TENNESSEE

Delegates to the national political conventions are selected by conventions called by the chairmen of the different political parties. No regular date is fixed for these conventions. The usual time is about the 1st of June. (A. B. Broadbent, secretary of state, State of Tennessee).

Date: Set by chairman of State committees.

TEXAS

Article 3167. Any political party desiring to elect delegates to a national convention shall hold a State convention at such place as may be designated by the State executive committee of said party, on the fourth Tuesday in May 1928, and every 4 years thereafter. Said convention shall be composed of delegates duly elected by the voters of said political party in the several counties of the State at primary conventions to be held on the first Saturday in May 1928, and every 4 years thereafter. (Vernon's Texas Statutes, 1936, p. 683.)

Date: Fourth Tuesday in May.

UTAH

Section 39. (a) At a time on or before the last Saturday in June of each even-numbered year, to be determined by the State central committee of each party, the delegates elected to the State convention of each political party by the several county conventions of such party shall convene at such place in the State as the State central committee of such party shall designate, and there organize and elect a State central committee for such party for the ensuing term and a chairman and vice chairman of opposite sex thereof. In years of Presidential elections they shall also select the necessary delegates and alternates to the national convention and select the national committeeman and committeewoman for the State of Utah. (General Election Laws of the State of Utah, 1938, p. 24.)

Date: Set by State central committees.

VERMONT

Section 178. The State committee of each party shall call a party convention, under regulations prescribed by the committee, to be held during the third week of May in each Presidential year. At such convention, delegates and alternates to the national conventions of such party to the number apportioned to this State shall be elected. (Public Laws, 1933, ch. 11, p. 98, State of Vermont.)

Date: During third week of May.

VIRGINIA

The State conventions shall elect delegates and alternates to the national conventions.

Until otherwise provided the several congressional district conventions preceding the State conventions shall each nominate one elector and delegates and alternates to the national conventions empowered to cast not exceeding two votes therein.

Date: Set by State committees.

WASHINGTON

Each political party organization shall have the power to make its own rules and regulations, call conventions, elect delegates to conventions, State and National, fill vacancies on the ticket, provide for the nomination of Presidential electors, and perform all other functions inherent to such organizations, the same as though this act had not been passed: *Provided*, That in no instance shall any convention have

the power to nominate any candidate to be voted for at any primary election. (Remington's Revised Statutes of the State of Washington as amended by an act of the State legislature, approved March 9, 1939.)

Date: Set by party organizations.

WEST VIRGINIA

Article 4, section 3. At each May primary there shall be elected by the voters of each political party of the State the number of persons to which the party is entitled as delegates and alternate delegates at large, and by the voters of each political party in each congressional district in the State the number of delegates and alternate delegates to which the district is entitled, in the national convention of the party to be next held after the date of such primary. The persons receiving the highest number of votes in the State as delegates at large, to the number to which the State is entitled, shall be elected delegates, and the persons receiving the highest number of votes in the State as alternate delegates at large, to the number to which the State is entitled, shall be elected alternate delegates. The persons receiving the highest number of votes as delegates in any congressional district, to the number to which the district is entitled, shall be elected delegates, and the persons receiving the highest number of votes as alternate delegates in any congressional districts, to the number to which the district is entitled, shall be elected alternate delegates. (Election Laws of the State of West Virginia, 1938, p. 18.)

Article 4, section 1. * * * On the second Tuesday in May, in the year 1932, and in each fourth year thereafter, to be known as the May primary. (Election Laws of the State of West Virginia, 1939, p. 17.)

Date: Second Tuesday in May.

WISCONSIN

There shall be chosen at an election held in each precinct of the State on the first Tuesday of April in each year in which electors for President and Vice President of the United States are to be elected, delegates to the national convention of each party, to nominate candidates for President and Vice President. The number of delegates to be chosen shall be the number specified by the party's national committee.

Except as otherwise provided, such elections shall be noticed, held, and conducted and the results canvassed and returned in the manner provided for judicial elections.

A plurality of votes cast shall determine which candidates are elected delegates.

It shall be the duty of the State central committee of each political party after such election and at least 15 days prior to the holding of the national convention to meet and elect an alternate for each delegate. Said meeting shall be called by the chairman of the party State central committee, upon at least 10 days' notice.

For the purpose of enabling every voter to express his choice for the nomination of candidates for President and Vice President of the United States, whenever there shall be filed with the secretary of state nomination papers as provided by section 5.05 and 5.07 of the

statutes, the names of such candidates shall be certified to the county clerks, and shall be printed as certified upon the official party ticket used at the election of delegates. No signature, statement, or consent shall be required to be filed by any such candidate. (Wisconsin Laws, 1933, c. 139, s. 1, 3, 4.)

Date: First Tuesday in April.

WYOMING

Section 36-635. *State convention.*—On the second Monday in May of each year in which electors for President and Vice President are to be elected, there shall be held a State convention of each political party, the members of which shall be composed of the delegates chosen as prescribed in the preceding section, or their proxies. Said State convention shall have power to make nominations of candidates for the electors of President and Vice President of the United States, to adopt any party platform, and to choose and select in accordance with the rules and regulations of its party, delegates and alternate delegates to national nominating conventions, and perform such other functions inherent in such political organizations, not inconsistent with this article. The nominations for such electors so made shall be certified to the secretary of state by the officers of such convention. (Election Laws of the State of Wyoming, 1936, p. 26.)

Date: Second Monday in May.

ALASKA

Delegates to national conventions from the Territory of Alaska are chosen by the Territorial conventions.

Some years ago the Territorial legislature enacted a law requiring a direct election of delegates to national conventions, but later this law was repealed and at the present time there is no statute on the subject. And so now the practice is in all parties to choose the delegates to the national conventions at the Territorial conventions. (Anthony J. Dimond, Delegate from Alaska.)

Date: Set by Territorial committees.

DISTRICT OF COLUMBIA

Democratic: The delegates from the District of Columbia to the Democratic National Convention are selected by a primary election. The District of Columbia Central Committee has full authority over the elections, such as setting the date for the filing of applications by the nominees and setting the date for the primary election. Applicants must accompany their application with a \$200 fee, which is used to defray election expenses, such as hiring of balloting places, printing ballots, etc.

Republican: The Republican National Committee at its meeting in December preceding the national convention provides in the call authority to the Republican State committee in and for the District of Columbia to prescribe rules under which the delegates to the Republican National Convention shall be elected. Pursuant to that authority, the Republican State committee adopts rules under which in past years qualified Republicans have registered at the headquarters of the committee and those so registered have voted in the districts

and subdistricts in which they reside, electing delegates to a "State" convention. Delegates to the national convention are elected by such "State" convention. Notices are published in all newspapers of the period and place of enrollment and date, place, and hour of the "State" convention. Personal notice has been given to those who have enrolled of the time and place of their district or subdistrict meeting.

Date: Primaries are held during May prior to convention.

HAWAII

The delegates to the national conventions from Hawaii are elected at local conventions held by the political parties in Hawaii.

The local conventions are held usually in April of the national convention year, the date being fixed by the local central committees. The conventions comprise delegates elected from various precinct clubs throughout the Territory, the number of such delegates from each precinct club being determined by the number of votes cast for the candidate for Delegate to Congress of the respective party in the preceding election.

The central committees instruct the precinct clubs when to hold their meetings to nominate delegates to the local conventions; and when the elections shall be held for these delegates. The date and place of the respective Territorial conventions are then set. A delegate or alternate to the national convention must be a duly elected delegate to the local convention. (S. W. King, Delegate from Hawaii.)

Date: Set by island central committees.

PHILIPPINE ISLANDS

Delegates to national conventions from the Philippine Islands are chosen by the Territorial conventions called by the Territorial committees of the political parties. Delegates selected are to be from the Philippine Islands, but in case such delegate or delegates cannot make the trip to the United States, a person or persons (preferably of the Philippine Islands) may be named by the chairman of the national convention to substitute for the duly selected delegate.

Date: Set by Territorial committees.

PUERTO RICO

The Puerto Rican delegates to the national conventions are elected by the members of the political parties in Puerto Rico at the regular Territorial conventions held in the island.

Date: Set by Territorial convention.

CANAL ZONE

Delegates from the Canal Zone to the Democratic National Convention are selected at a Territorial convention of the party. The convention is called together by the Territorial committee.

The Canal Zone does not have representation at the Republican National Convention.

Date: Set by the Territorial committee.

VIRGIN ISLANDS

Delegates from the Virgin Islands to the Democratic National Convention are selected at a Territorial convention of the party. The convention is called together by the Territorial committee.

The Virgin Islands does not have representation at the Republican National Convention.

Date: Set by the Territorial committee.

EXTRACTS FROM STATE LAWS REGULATING PRESIDENTIAL PRIMARIES

ARKANSAS

Section 1. That it shall be the duty of the State committee of any political party in this State to order a preferential Presidential primary election for the purpose of determining who the majority of the members of the affected political party prefer as nominee for President of the United States, when such committee is petitioned to do so in accordance with the provisions of this act by any candidate for such nomination.

Section 2. * * * It [petition for the election] shall be filed with the State committee of the appropriate party not less than six months prior to the date of said party's quadrennial national nominating convention. (Extracts from Act No. 103, approved February 18, 1939.)

Primary election date set by the State committees.

CALIFORNIA

On the first Tuesday of May of each year of the general November election, at which electors of President and Vice President of the United States are to be chosen, there shall be held a primary nominating election * * * to elect the delegates of their respective political parties to their respective national conventions for the nomination of their party candidates for President and Vice President of the United States, thereby indicating the preference of said electors for their Presidential nominee * * *.

Candidates for delegate grouped together on the same nomination paper and selected as aforesaid shall be similarly grouped, in the same order of names, upon the ballots of their party; provided, that such group of candidates for delegate has the endorsement of that candidate for Presidential nominee for whom the members of said group have filed a preference, or the endorsement of such a State campaign committee created in support of the candidacy of said Presidential nominee as shall not be repudiated by him as lacking authority to make such endorsement * * *.

To the right of the last column headed by the name of a candidate for Presidential nominee shall be a column headed by the words "No preference," * * * in which column shall appear the names of all candidates for delegate who have expressed no preference for Presidential nominee * * * (extracts from the Presidential Primary Act, pp. 310-320, California Election Laws, 1938).

Declaration of candidates are to be made 65 days before the primary election (first Tuesday in May).

GEORGIA

A preferential Presidential primary is held upon call of the State executive committee. The candidates nominated as the choice of the parties in the States of Georgia then have the privilege of naming the delegates to the national conventions. However, the calling of a preferential primary is discretionary with the State executive committee; if no such election is ordered by the committee, the selection of delegates is made by the executive committee.

Date: Set by the State executive committees.

ILLINOIS

Any candidate for President of the United States may have his name printed upon the primary ballot of his political party by filing in the office of the secretary of state not less than sixty days prior to the date of the April primary [second Tuesday in April], in any year, a petition signed by not less than three thousand or more than five thousand primary electors, members of and affiliated with the party of which he is a candidate, and no candidate for President of the United States, who fails to comply with the provisions of this Act, shall have his name printed upon any primary ballot: *Provided*, That the vote for President of the United States, as herein provided for, shall be for the sole purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for said office, and the vote of the State at large shall be taken and considered as advisory to the delegates and alternates at large to the national conventions of respective political parties; and the vote of the respective congressional districts shall be taken and considered as advisory to the delegates and alternates of said congressional districts to the national conventions of the respective political parties. (Extract from Illinois Election Laws, in force July 1, 1937, p. 145.)

MARYLAND

Any person who may be a candidate for the nomination of any party subject to the provisions of this subtitle for the office of President of the United States, and who may desire to obtain the vote of the delegates from Maryland of any such party in its national convention, may become a candidate for such nomination in primary elections to be held in accordance with the provisions of this subtitle in the several counties of the State and the several legislative districts of Baltimore City and shall be entitled to have his name printed upon the official primary ballot of his party in primary elections held under and in accordance with this subtitle in said several counties and legislative districts as a candidate for such nomination for President by making the payment required and by filing a certificate of candidacy specifying the party to which he belongs and the national convention whose nomination for President he seeks and in form and in substance like the certificate of candidacy required of candidates for the nomination for the office of Governor of Maryland, by section 198 of this article, except that such payment shall be made and such certificate filed by said candidate or candidates for said office of President within fifteen days before the day of the primary election [first Monday in May] for delegates to the State convention which shall select and

instruct, as hereinafter provided, the delegates of each party to the national convention * * * (extract from Registration and Election Laws of Maryland, 1938, p. 160).

MASSACHUSETTS

Names of candidates for President do not appear on the primary ballot; however, the voters may have an opportunity to express their preference through the choice of their delegates to the national conventions.

The ballot shall also contain a statement of the preference, if any, of each candidate for delegate as to a candidate for nomination for President, provided that such statement appears in his nomination papers; but no such statement of preference by any candidate for delegate shall appear upon the ballot unless such candidate for nomination for President files his written assent thereto with the State secretary on or before 5 o'clock in the afternoon of the last day [seventh Tuesday preceding last Tuesday in April] for filing nomination papers. Such assent may be communicated by telegraph. (Extract from General Laws Relating to Primaries, Caucuses, and Elections for the Commonwealth of Massachusetts, 1938, p. 134.)

Primary election is held on last Tuesday in April in the State of Massachusetts.

NEBRASKA

32-1111. In the year 1924 and every 4 years thereafter the primary shall be held on the second Tuesday in April, at which time a preference vote for President and Vice President of the United States as provided for in this article shall be had.

32-1114. When candidates for the offices of President and Vice President of the United States are to be nominated, every qualified elector of a political party subject to this article shall have opportunity to vote his preference, on his party nominating ballot, for his choice for one person to be candidate of his political party for President, and one person to be candidate for his political party for Vice President of the United States, either by writing the names of such persons in blank spaces to be left in said ballot for that purpose, or by marking with a cross opposite the printed names of the persons of his choice, as in the case of other nominations.

32-1115. The names of any persons to be voted for as preference for President or Vice President of the United States shall be printed on primary ballots solely on the petition of their political supporters in Nebraska, and said petition for President or Vice President shall contain the names of not less than one hundred electors of each congressional district of the State, without such persons themselves signing the petition or acceptance.

32-1124. The name of no candidate shall be printed upon an official ballot unless at least 40 days prior to such primary * * * shall have filed a written application with the proper authority * * *. (Nebraska Compiled Statutes, 1929, secs. 32-1111, 1114, 1115, 1124.)

Date: Second Tuesday in April.

NEW HAMPSHIRE

Names of candidates for President do not appear on the primary ballot. However, the voters may have an opportunity to express their preference through the choice of their delegates to the national conventions.

If the person [candidate for delegate to national convention] desires to do so he may add to such declaration the following statement: "I pledge myself, if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large), to vote in said convention, whenever I shall vote, for the nomination of (inserting the name of any person) as the candidate for said party for President so long as he shall be a candidate before said convention, and I request that after my name upon the ballot shall be printed the words pledged to vote for the nomination of (naming the same person) for President." And in that event said words shall be printed upon the primary ballot following his name as requested. (Extract from New Hampshire Primary and Election Laws, 1937, p. 51.)

The name of a candidate shall not be printed upon any such ballot unless not more than sixty nor less than thirty days before the primary [second Tuesday in March] he files with the secretary of state a declaration of candidacy. (Extract from New Hampshire Primary and Election Laws, 1937, p. 50.)

Primary election is held on the second Tuesday in March in the State of New Hampshire.

NEW JERSEY

Candidates for the position of delegates or alternates may be grouped together, and may also have the name of the candidate for President whom they favor placed opposite their individual names or opposite such groups, if they so request in their petitions,¹ under the caption "Choice for President."

Not less than one thousand voters of any political party may file a petition with the secretary of state on or before April first in any year in which a President of the United States is to be chosen, requesting that the name of the person endorsed therein as a candidate of such party for the office of President of the United States shall be printed upon the official primary ballot of that party for the then ensuing election for delegates and alternates to the national convention of such party * * * it shall not be necessary to have the consent of such candidate for President endorsed on the petition. (Extract from the Elections, title 19, State of New Jersey, 1938, p. 93.)

Primary election is held on the third Tuesday in May in the State of New Jersey.

OHIO

At the Presidential primary election the qualified voters of the several political parties shall be given an opportunity to express their preference as to the nominee for their respective parties for President and Vice President of the United States in the following manner: Nomination papers for each candidate for nomination for President or Vice President may be filed in the same manner as for candidacy for a State office, except that any such candidate may designate in writing any duly qualified elector of the State who is a member of the same political party as his representative, who may sign the declaration herein provided for, in which case such candidate for nomination as President or Vice President shall not be required to sign or file any petition, affidavit, declaration, statement, or paper of any kind to get his name upon the ballot in such primary. (Extract from the Election Laws of the State of Ohio, p. 62, compiled in 1932.)

Each person seeking to be elected as delegate or alternate to such national convention shall file with his declaration of candidacy and certificate a statement in writing, signed by him, in which he shall

¹ Must be filed on or before April 1.

state his first and second choice for nomination as candidate of his party for the Presidency of the United States; * * * provided always, however, that the name of no candidate for the Presidency shall be so used without his written consent. (Extract from the Election Laws of the State of Ohio, p. 61, compiled in 1932.)

Declaration of candidacy must be filed 60 days before the date of the primary, second Tuesday in May.

OREGON

When candidates for the offices of President and Vice President of the United States are to be nominated, every qualified elector of a political party subject to this law shall have the opportunity to vote his or her preference, on his or her party nominating ballot, for his or her choice for one person to be the candidate for nomination by his or her political party for the office of President, and one person for Vice President of the United States, either by writing the names of such persons in blank spaces to be left on said ballot for that purpose or by marking with a cross before the printed names of the persons of his or her choice, as in the case of nominations of candidates for State and district offices. The name of any candidate for a party nomination for President or for Vice President of the United States shall be printed on said ballots upon the written request of such candidate filed with the secretary of state within the time provided for the filing of petitions of candidates [forty-five days prior to the third Friday in May] for nomination for State and district offices, or upon the petition of one thousand of his supporters who are registered voters in the State of Oregon of the political party to which said candidate belongs: *Provided*, That if no petition be filed in behalf of said candidate but only a request signed by the candidate himself such request must be accompanied by a statement, signed by the chairman and secretary of the State central committee of the party to which such candidate for nomination for President or for Vice President belongs, to the effect the candidacy of said candidate is advocated generally throughout the United States. The names of such candidates for party nominations for President and for Vice President of the United States shall be printed on the official ballots for the primary nominating elections of their respective political parties, and shall be marked, counted, canvassed, returned, and proclaimed in the same manner and under the same conditions, so far as the same are applicable, as the names of candidates for nomination for State and district offices. (Extract from Election Laws of the State of Oregon, 1938, p. 82.)

Primary election held on the third Friday in May in Oregon.

PENNSYLVANIA

In the years when candidates for the office of President of the United States are to be nominated, every registered and enrolled member of a political party shall have the opportunity at the spring primary [fourth Tuesday in April] in such years to vote his preference for one person to be the candidate of his political party for President.

The names of candidates for nomination as President of the United States * * * shall be printed upon the official primary ballots * * * upon the filing of separate nomination petitions in their behalf, in form prescribed by the secretary of the Commonwealth.

All nomination petitions shall be filed at least 50 days prior to the primary [fourth Tuesday in April]. (Extracts from a Compilation of Registration Acts and Election Code of the State of Pennsylvania, 1937, p. 34, 36, and 41.)

Primary election held on the fourth Tuesday in April in Pennsylvania.

SOUTH DAKOTA

Names of candidates for President do not appear on the primary ballots. However, the voters may have an opportunity to express their preference through the choice of their delegates to the national conventions.

Names of candidates for delegates and alternates to the national convention, in number equal to the entire number of such delegates and alternates to be elected, shall be grouped under their respective designations upon a single nominating petition, which shall contain a statement indicating their collective preference choice for President of the United States, if any, or that they have no preference. Such petition shall include an endorsement of such list of candidates signed by the candidate for President for whom they have expressed a preference, or by someone acting under his authority for him.

At least thirty and not more than sixty days prior to the date of the primary [first Tuesday in May] election a petition shall have been filed in his [candidate] behalf in the office of the county auditor of the county in which he is a candidate, or in the office of the secretary of the State for offices to be filled by districts containing more than one county, or by the whole State. [Extract from Primary and General Election Laws of the State of South Dakota, 1938, p. 8, 9.]

Primary election held on the first Tuesday in May in the State of South Dakota.

WEST VIRGINIA

Section 4. *Presidential preference.*—In Presidential election years, in addition to the candidates hereinbefore required to be nominated at the general primary election, the qualified voters of each political party shall have the opportunity of voting for their choice among those aspiring to be the candidates of their respective parties for President of the United States. The names of such aspirants shall be printed on the official election ballot of their respective parties, as provided in section 12 of this article, upon the filing with the secretary of state the announcement as provided in section 7 of this article, and the ballot shall be marked and the vote shall be counted, canvassed, and returned under the same conditions as to names, certificates, and other matters, as the names and certificates of the party aspirants for the party nomination for the office of Governor. (Enrolled Senate bill No. 273, passed March 10, 1939.)

Such certificate shall be filed at least 30 days before the primary election day [second Tuesday in May]. (Extract from Election Laws of West Virginia, 1938, p. 20.)

Primary election is held on the second Tuesday in May in the State of West Virginia.

WISCONSIN

Nominations for candidates for President and Vice President and for delegates shall be made by nomination papers, in the manner provided by sections 5.05 and 5.07, except that the nomination paper shall refer to the election to be held on the first Tuesday of April, in the year in which such candidates are to be voted for, and except that the nomination papers and ballot for any delegate may contain a

statement of the principles or candidates favored by such candidate for delegate, which statement shall follow his name and be expressed in not more than five words. The number of signers on nomination papers of candidates for President, Vice President, and delegates at large shall be the same as for State officers, and of candidates for district delegates as for Members of Congress. Nomination papers for such candidates shall be filed in the office of the secretary of state not later than 32 days prior to said April election. (Extract from Wisconsin Laws, 1933, ch. 139, sec. 2.)

Primary election is held on the first Tuesday in April in the State of Wisconsin.

